Exhibit A

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

John D. West, on Behalf Of Himself and All)
Other Persons Similarly Situated,)
214 Woodlawn Road, Butler, Pennsylvania)
Plaintiffs,)
v.)
) Case No.: C-1-02-0001
AK Steel Corporation (Formerly ARMCO Inc.))
Retirement Accumulation Pension Plan, a part)
of the AK Steel Corporation (Formerly)
ARMCO Inc.) Noncontributory Pension Plan,)
703 Curtis Street, Middletown, Ohio 45043) Judge: Hon. Sandra S. Beckwith
)
And)
AK Steel Corporation Benefit Plans) Magistrate Judge: Timothy S. Black
Administrative Committee,)
703 Curtis Street, Middletown, Ohio 45043)
•)
Defendants.)
	_)

DECLARATION OF ROBERT D. WICK

- I, Robert D. Wick, hereby declare as follows:
- 1. I am an attorney admitted to practice law in the District of Columbia. I am admitted in this Court *pro hac vice* for the purpose of representing Defendants AK Steel Corporation Retirement Accumulation Pension Plan, and AK Steel Corporation Benefit Plans Administrative Committee ("Defendants"), in connection with the above-captioned matter.
- 2. In connection with my representation of Defendants in this matter, I telephoned Mr. Thomas Theado, counsel for the plaintiffs, on or about Tuesday, May 11, 2004. During that call I informed Mr. Theado that Defendants would be producing to Plaintiffs a number of releases that had been executed by certain plaintiffs between October 2003 and

January 2004. I told Mr. Theado that Defendants might assert the releases as a defense in the course of this litigation.

- 3. Following this conversation, I directed my colleague, Mr. David Barker, to forward to Mr. Theado bates numbered copies of these releases. Mr. Barker forwarded the releases to Mr. Theado by letter dated May 18, 2004. A copy of this letter in its unsigned form is attached hereto as Exhibit 1. The letter stated in part, "We enclose copies of approximately 90 releases executed by class members from November 2003 through January 2004. Defendants may rely on these releases in the West Litigation." Ex. 1.
- 4. On September 27, 2004, I again wrote to Mr. Theado concerning the releases. In that letter, a copy of which is attached hereto as Exhibit 2, I reminded Mr. Theado as to the earlier production of the releases, and informed him that "defendants may use a declaration (or, in the event of a trial, testimony) from Sandra J. Evans, Human Resources Manager, to describe and authenticate these releases." Ex. 2.
- 5. Neither Mr. Theado, nor any other attorneys for Plaintiffs, asserted that the defense of release had been waived in response to my telephone call to Mr. Theado, or the letters attached hereto as Exhibits 1 and 2. The first time that Plaintiffs' counsel asserted waiver was in their brief filed on January 31, 2005.

Pursuant to 28 U.S.C. § 1746, I swear under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

Date: Feb. 28, 2005

Robert D. Wick

EXHIBIT 1

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004-2401 TEL 202.662.6000 FAX 202.662.6291 WWW.COV.COM WASHINGTON
NEW YORK
SAN FRANCISCO
LONDON
BRUSSELS

May 18, 2004

BY FEDERAL EXPRESS

Thomas R. Theado Gary, Naegele & Theado 446 Broadway Avenue Lorain, Ohio 44052-1797

Re: West v. AK Steel Corporation, Case No. C-1-02-0001

Dear Mr. Theado:

As you may know, circumstances in the steel industry forced AK Steel to go through a reduction in its salaried work force that commenced in October 2003. In connection with that reduction in force, the company offered severance benefits to terminated employees in exchange for execution of a general release. We enclose copies of approximately 90 releases executed by class members from November 2003 through January 2004. Defendants may rely on these releases in the West litigation.

Also enclosed is a list of the names and last known addresses of the class members.

Sincerely,

David A. Barker

EXHIBIT 2

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004-2401 TEL 202.662.6000 FAX 202.662.6291 WWW.COV.COM WASHINGTON NEW YORK SAN FRANCISCO LONDON BRUSSELS

ROBERT D. WICK TEL 202.562.5487 RWICK® COV.COM

September 27, 2004

By Facsimile

Thomas R. Theado, Esq. Gary, Naegele & Theado 446 Broadway Avenue Lorain, Ohio 44052-1797

Re:

West v. AK Steel

Dear Tom:

A few months ago we sent you a supplemental production consisting of releases executed in connection with a reduction in force at AK Steel. I now write pursuant to Rule 26(a)(1) to inform you that defendants may use a declaration (or, in the event of a trial, testimony) from Sandra J. Evans, Human Resources Manager, to describe and authenticate these releases.

Sincerely,

Robert D. Wick

Robert D. Will